Law Offices

HALEY, BADER & POTTS

4350 NORTH FAIRFAX DR., SUITE 900

ARLINGTON, VIRGINIA 22203-1633 TELEPHONE (703) 841-0606 FAX (703) 841-2345

POST OFFICE BOX 19006 WASHINGTON, D.C. 20036-9006

> TELEPHONE (202) 331-0606

January 21, 1994

RECEIVED

FEDERAL COMMUNICATIONS COMMISSION OFFICE OF THE SECRETARY

By Hand Delivery

SUSAN H. ROSENAU

Mr. William F. Caton **Acting Secretary** Federal Communications Commission Washington, D.C. 20554

OUR FILE NO. 0992-102-60

RE:

MM Docket No. 93-42, Calistoga, California

Dear Mr. Caton:

On behalf of Moonbeam, Inc., an applicant (File No. BPH-911115MG) for a New FM Station on Channel 265A in Calistoga, California, please find the original and six copies of its Motion for Extension of Time to File Opposition in the above-referenced proceeding.

Kindly communicate any questions directly to this office.

Yours very truly,

Enclosures (6)

Moonbeam, Inc. cc:

> Robert Zauner, Esquire A. Wray Fitch, Esquire

Administrative Law Judge Edward Luton

No. of Copies rec'd_ List A B C D E

Before The

Federal Communications Commission

Washington, D.C. 20554

FEIDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY In re Applications Of Docket No. MM 93-42 MOONBEAM, INC. File No. BPH-911115MG GARY E. WILLSON File No. BPH-911115MO For a Construction Permit for a New FM Station on Channel

To: The Honorable Edward Luton Administrative Law Judge

265A in Calistoga, California

MOTION FOR EXTENSION OF TIME TO FILE OPPOSITION

Moonbeam, Inc. ("Moonbeam"), by its attorneys and pursuant to Section 1.46 of the Commission's Rules, hereby respectfully requests an extension of time to oppose Gary E. Willson's Petition to reopen the Record and Enlarge Issues Against Moonbeam, Inc., served January 11, 1994. Moonbeam requests an extension until February 14, 1994, or 12 days (8 business days) after Moonbeam is required to reply to Willson's proposed findings of fact and conclusions of law regarding the financial issue in this matter.

Good cause exists to grant the requested extension. Willson's petition contains a substantial number of legal and factual issues to be addressed. Moonbeam is presently engaged in the preparation of its proposed findings of fact and conclusions of law in this proceeding, and must turn thereafter to its reply findings. In addition, both of Moonbeam's counsel must attend a mandatory 2-day continuing legal education seminar on January 20-21, 1994, which delays their ability to turn to either the reply findings or the petition. These events and the

press of other matters require Moonbeam to seek this extension. The requested extension will not materially delay the resolution of this proceeding.

WHEREFORE, Moonbeam respectfully requests that its time to oppose Gary E. Willson's Petition to reopen the Record and Enlarge Issues Against Moonbeam, Inc. be extended up to and including Monday, February 14, 1993.

Respectfully submitted,

MOONBEAM, INC.

Susan H. Rosenau

Its Attorneys

HALEY, BADER & POTTS Suite 900 4350 North Fairfax Drive Arlington, VA 22203-1633 703/841-0606

January 21, 1994

CERTIFICATE OF SERVICE

The undersigned, an employee of Haley, Bader & Potts, hereby certifies the the foregoing Motion for Extension of Time to File Opposition was mailed this date by First Class U.S. Mail, postage prepaid, or was hand-delivered*, to the following:

A. Wray Fitch, III, Esquire**
Gammon & Grange
8280 Greensboro Drive
McLean, VA 22102-3807

Administrative Law Judge Edward Luton* Federal Communications Commission 2000 L Street, N.W. Washington, D.C. 20554

Robert Zauner, Esquire*
Federal Communications Commission
Mass Media Bureau, Hearing Branch
Suite 7212
2025 M Street, N.W.
Washington, D.C. 20554

Mancy E. Davies

January 21, 1994

^{**} Notice by telephone has also been given in accordance with Section 1.46 of the Commission's Rules.